THE HONOURABLE SRI JUSTICE V. ESWARAIAH

WRIT PETITION No.3024 OF 2005

DATED: 03-07-2007

BETWEEN

Gudur Thimmanna @ Thimmoji,
S/o. G. Peda Ramanna,
Occ: Business, R/o. 69/258-H,
Joharapuram, Kurnool Municipal
Corporation, Kurnool.

…PETITIONER

AND

The Station House Officer,
I Town Police Station,
Kurnool Town, Kurnool
District and others.

…RESPONDENTS

ORDER:

Petitioner submits that a rowdy sheet No.109 of 1997 was opened against him by the I Town Police Station, Kurnool when a case in Cr.No.117 of 1996 was pending for offence under Sections 302 read with 34 of the Indian Penal Code and Section 3 of the Explosive Substances Act. He further submits that the rowdy sheet was opened against him on the recommendation of the Deputy Superintendent of Police, Kurnool. Though the aforesaid case ended in acquittal the rowdy sheet is continued from time to time since 31.12.2005.

2. Counter has been filed on 08.06.2005

3. It is not known whether the rowdy sheet is continued from 31.12.2005

or not. However, if there are no cases pending against the petitioner, I am of the opinion that the rowdy sheet opened against the petitioner cannot be continued contrary to the provisions of the Order 602 of the Andhra Pradesh Police Manual, Part – I, Volume – 2.

4. Having regard to the facts and circumstances of the case, the respondents are directed to review the continuance of the rowdy sheet pending against the petitioner and pass appropriate orders in accordance with law by communicating the same to the petitioner.

The writ petition is accordingly dismissed. There shall be no order as to costs.

_____

V. ESWARAIAH, J

July 3, 2007
DSK